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The Maryland House of Delegates
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**Testimony of Delegate Stein in Support of
HB 1056 – Nonpublic Schools – Adequate Health Services –
Eligibility for Reimbursement**

Under current State law, county governments are required to provide “adequate health services” in all public K-12 schools. These “adequate health services” are listed in current Maryland regulations and include a limited set of health services generally provided by a school nurse (*e.g.*, emergency services, health appraisals, etc.).

Importantly, included within the definition of “adequate health services” under current law, K-12 public schools are required to assist with “communicable disease control” that includes the “prevention, investigation, limitation, and eradication of diseases caused by infectious agents and usually spread from person to person” COMAR 13A.05.05.06(B)(1). As part of this responsibility, K-12 public schools assist local health departments in implementing plans to prevent the prevention of the spread of communicable diseases.

Contagious viruses, such as COVID-19 and its mutations, do not differentiate between public and nonpublic schools. Viral spread in either can spread to the wider community. However, many nonpublic schools are struggling to find the resources necessary to retain qualified health professionals – especially now during the current pandemic situation when students and parents seek the advice of school nurses 24/7.

HB 1056 seeks to address the critical need to contain the spread of COVID-19 and enhance the delivery of health services to the State’s K-12 student population by authorizing nonpublic schools to seek reimbursement for up to 50% of the costs of health services from the County in which they are located. Although under current law, public schools are also required to provide other services, such as student counseling and psychology services, HB 1056 would not require these other services. It would only apply to the provision of qualified public health professionals who could help identify the presence of infections among students and thus help prevent the spread to families and communities.

The program created by HB 1056 is “opt-in” only and any nonpublic school seeking county reimbursement must meet the specific qualifications outlined in the bill, including agreeing to provide the same “adequate health services” provided by public schools. Other qualifications include: compliance with the Civil Rights Act; a prohibition on discrimination on the basis of race, color, national origin, sexual orientation or gender identity or expression; and a limitation on tuition (“means testing”).

The tuition limitation (“means test”) proposed by HB 1056 is the same as the one required by the existing “Nonpublic Schools Textbook and Technology Grants Program.” Accordingly, any nonpublic school that chooses to seek reimbursement under HB 1056 cannot charge more in tuition than the average State cost per pupil: \$15,848.

During these challenging times, it is critical that we provide all children with a quality education in a healthy and safe environment. HB 1056 would provide needed assistance to those nonpublic schools that are trying to provide a healthy and safe environment to keep their students and surrounding communities safe.

SPONSOR AMENDMENT: This is a technical amendment intended to correct a drafting error so the bill will now reflect the language used in the state budget for current programs serving nonpublic schools.